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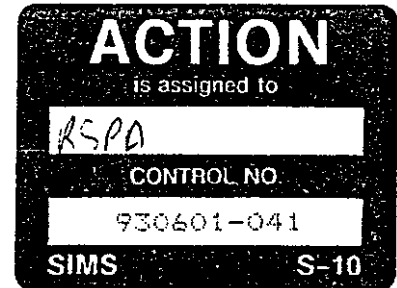
**minnesota Farm Bureau Federation**

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May 27, 1993

The Honorable Federico Pena
Secretary of Transportation
U.S. Department of Transportation
400 7th Street, SW
Washington, DC 20590

**RE: DOCKET #HM-214**

Dear Mr. Secretary:

On behalf of the Minnesota Farm Bureau Federation, we are writing to express our strong concern with the proposed interim final rule that would include edible and inedible vegetable and animal oil in the same class as hazardous materials (Docket No. HM-214). We are gratified that the Department of Transportation has extended the comment period until June 3, 1993, and has agreed to hold public hearings. This encourages us to believe that common sense and regulatory prudence will prevail.

Animal oil and vegetable oil are fundamentally different from petroleum products both chemically and physically. Oils derived from plants and animals are not corrosive, toxic, explosive or radioactive. Nor do they contain the flammable and combustible characteristics of petroleum products. They clearly do not represent the threat to the environment or public health that rules governing hazardous materials were designed to deal with. For **example**: refined vegetable oil has a flashpoint of **650** degrees **Fahrenheit**. The comparable figure for crude petroleum oil is 100 degrees or less. Similar arguments exist relative to toxicity and ability to biodegrade. In fact, for the most part, animal and vegetable **oils** are food and feed ingredients which are regularly consumed by people and livestock. Environmental Protection Agency regulations permit the direct application of vegetable **oils** to grains for dust control and to plants and **soils** in various agricultural applications.

Animal and vegetable **oils** have been given a GRAS (Generally Regarded as Safe) status by the Food and **Drug** Administration. Any regulation to reduce and/or mitigate the **impact** of spills of what are essentially food products should acknowledge this GRAS determination. The Sanitary Food Transportation Act was passed by Congress to ensure no food products were contaminated during transport or backhauling.

A hazardous designation would interfere with the implementation of this act and complicate normal hauling procedures. It is unclear what restrictions would be placed on hauling these "hazardous food products" in vessels which would subsequently be used for non-hazardous food products.

The best tests to identify effective and successful regulations are in science and common sense. The regulated community and the general public lose faith in the process of government when proposed regulations do not meet these tests.

Finally, if the proposed interim final rule is not significantly modified to provide realistic regulation of animal oils and vegetable oils as food products, not as hazardous materials, agricultural producers will receive lower prices for their products and consumers will pay more for foods with no offsetting increase in public safety.

Thank you for your consideration of the views of the Minnesota Farm Bureau Federation.

Sincerely,

A handwritten signature in cursive script that reads "Al Christopherson".

Al Christopherson
President